



Paper No. 13

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OFFICE OF PETITIONS

In re Application of :
Brown, et al. :
Application No. 09/466,000 :
Filed: December 17, 1999 :
Attorney Docket no. AUS990846US1 :

ON PETITION

This is a decision on the petition under 37 CFR 1.137(a), filed April 9, 2003, which has been treated as a petition under 37 CFR 1.181, to withdraw the holding of abandonment.

The petition is **GRANTED**.

This application became abandoned for failure to timely reply to the Office action mailed August 23, 2002. Accordingly, this application became abandoned on November 24, 2002. A Notice of Abandonment was mailed on March 25, 2003.

Petitioner asserts that a proper response was in fact timely filed in the form of an amendment, with a one (1) month extension of time, on December 20, 2002. In support, Petitioner has submitted a copy of the originally filed amendment and one (1) month extension of time. The amendment and extension of time contain an executed Certificate of Mailing under 37 CFR 1.8 dated December 20, 2002.

Accordingly, the petition is granted and the holding of abandonment is withdrawn.

The \$110.00 petition fee, submitted April 9, 2003, will be refunded by treasury check.

The file is being forwarded to Technology Center 2100 for further examination *in due course*.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 306-9200.

A handwritten signature in dark ink, appearing to read 'Ed J. Tannouse', followed by a horizontal line.

Edward J. Tannouse
Petitions Attorney
Office of Petitions
United States Patent and Trademark Office